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IAB# FO 2275229

INTERNAL AFFAIRS BUREAU
INVESTIGATIVE SUMMARY
IAB CASE# IV2275229

Subject: Sanchez, Jose R., Deputy, Employee[redacted]

Dates: September 22, 2010

Time: 0130 hours (approximately)

Location: Near West Avenue M and 15th Street West
Lancaster, CA 93534

ALLEGATION:

This case pertains to criminal allegations of coercing sex from a female in exchange for not arresting her on a warrant. Evidence was recovered by investigators which indicated sex occurred. Deputy Sanchez admitted to engaging in sex acts with the Complainant/Victim while on-duty, but stated these acts were consensual. On July 29, 2013, the Los Angeles County District Attorney's Office filed 11 Felony counts against Subject Sanchez including: Rape, Oral Copulation, Sodomy, Sexual Penetration with a Foreign Object and Kidnapping.

SYNOPSIS:

On September 23, 2010, Complainant [redacted] Ms. [redacted] called the Los Angeles County Sheriff's "1-800" line and made a complaint. Ms. [redacted] alleged on September 22, 2010, at approximately 0130 hours, Deputy Jose Sanchez while on duty in the city of Lancaster made a traffic stop of her vehicle. Deputy Sanchez informed her she had a $50,000 warrant for her arrest for 23152 CVC (***refer to Exhibit A page 85***).

Deputy Sanchez informed her he was not going to take her to jail for the warrant. Deputy Sanchez asked Ms. [redacted] what she could do for him since he was not going to take her to jail. Ms. [redacted] responded by telling him she could be his best friend. Deputy Sanchez had Ms. [redacted] move her car a short distance off the main road.

Ms. [redacted] stated she knew something bad was about to happen but continued to follow Deputy Sanchez's directions because he was "the police" and she did not want anything bad to happen to her. Ms. [redacted] exited her vehicle. She stated Deputy Sanchez kissed her while outside of the vehicle and placed her in his back seat unhandcuffed.

Deputy Sanchez then drove down a secluded dirt road and parked (***for distance and location refer to Exhibit A, page 118***). Deputy Sanchez then walked Ms. [redacted] to the front of the patrol car where he groped [redacted] breasts, inserted his fingers into her vagina, had sexual intercourse, sodomized her, and had her orally copulate him. At the conclusion of the sexual acts, Deputy Sanchez drove Ms. [redacted] back to her vehicle.

Deputy Sanchez offered to drive Ms. [redacted] home but she declined the offer. Deputy Sanchez agreed and followed Ms. [redacted] home.

On September 23, 2010, Internal Criminal Investigation Bureau (ICIB) Investigators Sergeants William Cassidy and Raymond Moeller met Ms. [redacted] at Antelope Valley Hospital where a sexual assault response team (SART) exam was conducted along with an interview (***for a copy of the SART exam, refer to Exhibit A, page 72***).

On September 24, 2010, Sergeant Moeller conducted a check of the Mobil Digital Terminal (MDT) and Computer Aided Dispatch (CAD) systems in order to locate the deputy involved. The information indicated Palmdale Sheriff Station unit 262T1 had checked Ms. [redacted] license plate at 0133 hours (on September 22, 2010). Deputy Jose Sanchez [redacted] was assigned to EM unit 262T1 on September 22, 2010, from [redacted] hours (***for a copy of 9/22/10, In-Service and 262T1 unit details refer to Exhibit A, pages 89, 90***).

ICIB Sergeants Cassidy and Moeller drove to Palmdale Sheriff Station and arrived at 1143 hours. They located the vehicle assigned to Deputy Sanchez (SD6280) on September 22, 2010. The vehicle was covered in dust. Sergeant Cassidy was able to see what appeared to be the imprints of a pair of breasts and handprint smudges on the hood of the vehicle, as if someone had laid face down on the hood (***for a copy of the assignments refer to Exhibit A, page 13***). Vehicle SD6280 was subsequently towed to Sixth Street Towing for processing by Scientific Services Bureau (***for a copy of the vehicles photos with imprints refer to Exhibit A, pages 109-117***).

After securing the vehicle for processing, Sergeants Cassidy and Moeller, along with Forensic Identification Specialist Daniel Rosell [redacted] drove out to the area of West Avenue M and 15th Street West in attempt to locate the crime scene. Shoe prints that matched Ms. [redacted] Ugg boots were found at the location (***for a copy of Rosell's location sketch and photos refer to Exhibit A, pages 118-121***).

ICIB Sergeant Moeller had Sergeant Robert Farkas [redacted] Sergeant) place a padlock on Deputy Sanchez's locker in order to secure the contents. Both Sergeants Robert Farkas and Jeffery Curran wrote memos detailing the incident (***for a copy of the memos refer to Exhibit A, pages 122-124***).

At approximately 1526 hours Sergeants Cassidy and Moeller met with Ms. [redacted] at her home. They showed her a "mug show up" that contained a series of six photographs of similar appearing males and asked if she recognized anyone.

> **IAB Note:** Deputy Sanchez was shown in photograph #6 in the "mug show up. For a copy of the "mug show up" refer to ***Exhibit A, page 126***.

Ms. [redacted] pointed out photograph #2 as the deputy involved in this incident. Ms. [redacted] was asked on a scale from 1-10 on how sure she was regarding the positive identification. She said, "7."

At 1605 hours Sergeants Cassidy and Moeller returned to Palmdale Sheriff Station to interview Deputy Sanchez who was working the desk in civilian clothes. Deputy Sanchez was explained his rights and agreed to speak to them about the incident.

Deputy Sanchez admitted to working on September 22, 2010, unit 262T1. Deputy Sanchez admitted he ran [redacted] license plate [redacted] and conducted the traffic stop on her. Deputy Sanchez admitted to driving Ms. [redacted] to a secluded off-road location and having consensual sexual intercourse, consensual sodomy and consensual oral copulation. Deputy Sanchez said he knew it should not have happened during work hours, but it was not rape. Deputy Sanchez consented to his locker search and reiterated there was never an arrangement or deal struck about not going to jail.

On September 28, 2010, ICIB Sergeants Cassidy and Moeller drove to [redacted] to interview [redacted] co-workers. At 1044 hours they met with [redacted] and [redacted] Both [redacted] said on Wednesday September 22, 2010, at 1505 hours Ms. [redacted] told them she was stopped by an officer and was told she had a warrant for her arrest. She said the officer put her in the back seat and raped her. Ms. [redacted] told them she did not know the officer's name or badge number.

Both [redacted] suggested if the incident was true she should report it. After their conversation Ms. [redacted] was offered the opportunity to have the night off. She declined and told him she needed the money and finished her shift.

At 1153 hours ICIB Sergeants Cassidy and Moeller met with Ms. [redacted] at her home in [redacted] for some follow up questions. Ms. [redacted] was told the deputy described basically the same incident with the exception he claimed the sex had been consensual. Ms. [redacted] stated she never agreed to, or said that she would consensually have sex with the deputy. Ms. [redacted] was asked if she ever told the deputy she did not want to kiss or have sex. Ms. [redacted] said she never said directly, but tried to infer it with statements such as she had a [redacted] or was sick.

ICIB Sergeants canvassed [redacted] neighbors to see if they remembered seeing a Sheriff's patrol vehicle at 0200 hours in the morning. Five neighbors were contacted, and all did not see anything (***for a list of names and addresses of neighbors refer to Exhibit A, page 29***).

On September 29, 2010, Deputy Sanchez agreed to provide a DNA sample with the advice of counsel (Green and Shinee).

On December 13, 2010, Sergeant William Cassidy wrote a Supplemental Report, which indicated some follow up investigation he and his partners had done on this case. Sergeant Cassidy checked departmental records for the month of September 2010, and identified 16 females that Deputy Sanchez may have come in contact with while engaged in patrol activities. Inside Deputy Sanchez' locker, five California Driver's Licenses or Identification cards belonging to females were found.

Of the 21 contacts, three of the women reported inappropriate behavior on the part of Deputy Sanchez during their contact with him [redacted] and [redacted] Nine addresses for the list of females were vacant or had moved. Six of the females were contacted and reported no unusual behavior during their contact with Deputy Sanchez. At three of the addresses, no contact was made with the resident(s) and a business card was left at the location (***for a list of the contacts, refer to Exhibit A, page 31-54***).

On November 23, 2010, ICIB Sergeants Cassidy and Tombol met with [redacted] at her home in [redacted] Ms. [redacted] stated she had contact with Deputy Sanchez on July 10, 2010, at approximately 0200 hours. Ms. [redacted] stated Deputy Sanchez arrested her for drunk driving. On the way to the station, Deputy Sanchez told her he would never let his [redacted] drive after she had been drinking. Ms. [redacted] said Deputy Sanchez tried to strike up a personal conversation about where she worked [redacted] but Ms. [redacted] stated she did not want to answer him because she felt the questions had nothing to do with the arrest. When they arrived a Palmdale Station Deputy Sanchez brushed Ms. [redacted] hair out of her eyes which she thought was inappropriate.

On December 13, 2010, at approximately 1509 hours, ICIB Sergeants Kniest and Jester met with Ms. [redacted] Ms. [redacted] stated she was stopped by an Hispanic officer named "Sanchez." Ms. [redacted] was with her friend [redacted] who she had just picked up from a Lancaster night club.

Deputy Sanchez asked her if she had been drinking. Ms. [redacted] told him she had not. Deputy Sanchez insisted that she had and made her blow into the PAS device. Deputy Sanchez told her she was four to five times over the legal limit but never showed her the readings on the PAS device. Deputy Sanchez told her he was going to take her to jail and placed her in his back seat unhandcuffed.

Ms. [redacted] pleaded with Deputy Sanchez because she was in the middle of her immigration proceedings. Deputy Sanchez asked her what she would do for him if he did not take her to jail. Ms. [redacted] asked him what he wanted. Deputy Sanchez told her "they can go into the dark." Ms. [redacted] began to cry and told Deputy Sanchez she did not want to go into the dark. Ms. [redacted] felt the officer wanted to do sexual things in the dark even though he did not say those exact words.

Ms. [redacted] friend [redacted] told Deputy Sanchez she was going to follow him all the way to Palmdale Station to make sure nothing happens to Ms. [redacted] After a conversation with both ladies, Deputy Sanchez let Ms. [redacted] drive Ms. [redacted] home.

Ms. [redacted] was shown a photo 'mug show up" that contained six photographs of males similar in appearance to Deputy Sanchez. Ms. [redacted] picked photo number one and Deputy Sanchez was in photo number six.

On December 16, 2010, ICIB Sergeants Cassidy and Hanson drove to the Shell gas station located [redacted] Golden Valley Road in Santa Clarita, to meet with [redacted]

Ms. [redacted] was shown a photo 'mug show up" that contained six photographs of males similar in appearance to Deputy Sanchez. Ms. [redacted] stated photos number one and six look like the deputy. Deputy Sanchez was in photo number six.

> **IAB Note**: According to Palmdale Sheriff Station [redacted] Sergeant Farkas, the PAS device checked out by Deputy Sanchez on a daily basis does not have a download memory function.

On December 13, 2010, Sergeants Jester and Kniest spoke with [redacted] at her home. Ms. [redacted] stated she was stopped three times within a 15-20 minute span on September 21, 2010. Ms. [redacted] said the first contact was by two sheriffs: an Asian deputy and a stocky male Hispanic with black hair and brown eyes. The deputies informed her that her vehicle's license plate had a warrant return for a [redacted] Ms. [redacted] informed the deputies that [redacted] was her [redacted] Ms. [redacted] said she was no longer detained.

The second traffic stop was by a stocky White male deputy in his 40's. Ms. [redacted] stated the deputy told her she was swerving. He asked her if she had been drinking; he checked her eyes and was convinced she had not been drinking and told her to be careful and no longer detained her.

Ms. [redacted] stated on the third traffic stop she realized it was the same male Hispanic deputy from the first stop. He did not pull her over, he just drove up beside her and asked her what was she doing way out there (Lancaster area). Ms. [redacted] told him she was going to visit a friend but the friend would not answer her phone and she was going back home to [redacted] Deputy Sanchez gave her directions on how to get back to the main street. Deputy Sanchez led her for about six miles and stopped to talk to her again. Ms. [redacted] said Deputy Sanchez told her he was getting off shift shortly and asked if there was any way to get a hold of her. Ms. [redacted] stated Deputy Sanchez asked her for her phone number but she did not give it to him and drove away.

Ms. [redacted] said she did not think the contact with Deputy Sanchez was professional because he asked questions about her [redacted] and wanted her phone number.

CRIMINAL INVESTIGATION:

On July 29, 2013, the Los Angeles County District Attorney's Office filed 11 Felony counts against Deputy Jose Sanchez under case #BA414107 (***for a copy of filing complaint, refer to Exhibit B***).

COMPLAINANT:

[redacted]

*On September 23, 2010, Internal Criminal Investigation Bureau (ICIB) Investigators Sergeants William Cassidy and Raymond Moeller met Ms. Ms. [redacted] for an interview. The interview was digitally recorded and a copy of the transcribed interview is provided. For a CD copy of the audio file, refer to **Exhibit C**.*

ICIB investigators met with Ms. [redacted] at Antelope Valley Hospital where a sexual assault response team (SART) exam could be conducted. Ms. [redacted] responded to the hospital and provided the clothing she wore the night of the incident. The SART exam was conducted (***for a copy of the SART exam, refer to Exhibit A, page 72***). The Sexual Assault Evidence Kit and [redacted] clothing were booked at East Los Angeles Sheriff Station.

Ms. [redacted] alleged on September 22, 2010, at approximately 0130 hours, Deputy Jose Sanchez while on duty in the city of Lancaster made a traffic stop on her. Deputy Sanchez informed her she had a warrant for her arrest. The warrant was $50,000.00 for 23152 CVC, (***for a Mobil Digital Terminal return, refer to Exhibit A page 85***). Ms. [redacted] told Deputy Sanchez she had drank half a glass of wine earlier that evening. Deputy Sanchez had Ms. [redacted] exit her vehicle and had her breathe into his PAS device. Ms. [redacted] stated Deputy Sanchez did not show her the results from the PAS device but told her she was a .82 or .08. Deputy Sanchez informed her he was not

going to take her to jail for the warrant. Deputy Sanchez asked Ms. [redacted] what she could do for him since he was not going to take her to jail.

Ms. [redacted] responded by telling him she could be his best friend. Ms. [redacted] stated she has used the best friend phrase many times but did not mean anything by it. Deputy Sanchez had Ms. [redacted] drive her car off the road a short distance.

Ms. [redacted] stated she knew something bad was about to happen but continued to follow Deputy Sanchez's directions because he was the police and she did not want anything bad to happen to her. Ms. [redacted] stated Deputy Sanchez had her exit her vehicle at the secondary location and he kissed her and told her she was hot stuff.

Deputy Sanchez had Ms. [redacted] sit in the back seat of his patrol vehicle unhand-cuffed. Ms. [redacted] stated Deputy Sanchez then drove a short distance from the road and parked. Deputy Sanchez had Ms. [redacted] exit the vehicle and he walked her to the front of his patrol vehicle. Deputy Sanchez proceeded to grope Ms. [redacted] breasts and put one of his right fingers into her vagina for approximately one minute. He then bent her over the front hood and pulled her shorts down and put his penis in Ms. [redacted] vagina for approximately three to four minutes. Deputy Sanchez then put his penis in [redacted] anus for approximately two to three minutes. Ms. [redacted] stated she asked Deputy Sanchez not to sodomize her because it is painful, and she said he told her, "It's okay, I will be gentle." Ms. [redacted] stated Deputy Sanchez sodomized her for approximately two minutes.

Deputy Sanchez then put his penis in [redacted] vagina again until he was about to ejaculate. Deputy Sanchez then put his penis in Ms. [redacted] mouth and told her to suck his penis and swallow. Ms. [redacted] stated Deputy Sanchez ejaculated into her mouth and placed his penis back into his pants and they both got back into the patrol vehicle and went back to where [redacted] vehicle was parked.

Deputy Sanchez offered to drive Ms. [redacted] home but she declined the offer and stated she was not under the influence of alcohol and insisted she drive her vehicle home. Deputy Sanchez agreed and followed Ms. [redacted] home. Ms. [redacted] stated Deputy Sanchez asked her for her phone number and she gave it to him because he knew where she lived and did not want anything bad to happen to her. Ms. [redacted] went into her house and Deputy Sanchez drove off.

On September 28, 2010, at 1153 hours ICIB Sergeants Cassidy and Moeller met with Ms. [redacted] at her home in [redacted] for some follow up questions. Ms. [redacted] was asked what the first thing the deputy asked her on the traffic stop. Ms. [redacted] stated he informed her of the warrant and she told him she was in the process of straightening it out. Ms. [redacted] stated the deputy told her he was not going to arrest her and they started talking.

Ms. [redacted] stated the deputy had her blow into the PAS device and told her again he was not going to arrest her. Ms. [redacted] stated the deputy asked her what she would do for him. Ms. [redacted] stated she might have told the deputy she had an [redacted] but she did tell him she had a [redacted] Ms. [redacted] stated she might have told the deputy about her not getting along with her father in order not to leave her car parked out in the desert.

Ms. [redacted] was told the deputy described basically the same incident with the exception the he claimed the sex had been consensual. Ms. [redacted] stated she never agreed to, or said that she would have sex with the deputy. Ms. [redacted] stated she gave her phone number to the deputy because she did not know what to say when he asked her for it. Ms. [redacted] was asked if she ever told the deputy she did not want to kiss or have sex. Ms. [redacted] said she never said directly, but tried to infer it with statements such as she had a [redacted] or was sick.

Ms. [redacted] was asked if she smoked at any time during her contact with Deputy Sanchez. Ms. [redacted] stated she had smoked a cigarette prior to the contact with the deputy but did not smoke any time during the incident.

> **IAB Note:** ICIB Investigators recovered a fresh cigarette butt at the crime scene location and booked it into evidence.

WITNESSES:

[redacted]

*On September 28, 2010, at 1044 hours ICIB Sergeants Cassidy and Moeller drove to [redacted] to interview [redacted] co-workers. The interviews were digitally recorded and copies of the transcribed interviews are provided. For a CD copy of the audio file, refer to **Exhibit C**.*

They met with [redacted] the Assistant Manager. Mr. [redacted] said on Wednesday September 22, 2010, at 1505 hours Ms. [redacted] and he went into his office because she looked distressed. She made no eye contact during their conversation and appeared out of it. Other employees told Mr. [redacted] that Ms. [redacted] was a little distraught.

Ms. [redacted] went on to tell Mr. [redacted] she was stopped by an officer and was informed she had a warrant. The officer put her in the back seat and raped her. Mr. [redacted] stated he did not know the details of the rape. Ms. [redacted] had told him the officer followed her home after the incident. Ms. [redacted] told him she did not know the officer's name or badge number. Mr. [redacted] saw no signs of injury to Ms. [redacted]

Ms. [redacted] told Mr. [redacted] she had not reported the incident to the police because she did not want her [redacted] to get upset with her. Mr. [redacted] stated he suggested if the incident was true she should report it.

After their conversation, Mr. [redacted] stated he offered Ms. [redacted] the opportunity to go home. She declined and told him she needed the money and finished her shift. Mr. [redacted] thought it was odd that Ms. [redacted] had told several other co-workers about such a private incident.

[redacted]

On September 28, 2010, at 1107 hours ICIB Sergeants Cassidy and Moeller drove to [redacted] to interview [redacted] co-workers. The interviews were digitally recorded and copies of the transcribed interviews are provided. For a CD copy of the audio file, refer to ***Exhibit C****.*

They met with Ms. [redacted] Manager [redacted] The interview took place in the manager's office of the [redacted] Mr. [redacted] said on Wednesday September 22, 2010, he and Mr. [redacted] had called Ms. [redacted] into his office for a "coaching session" because Ms. [redacted] was late to work. Mr. [redacted] noticed something was bothering Ms. [redacted] and asked her several times if she was okay. After the third time of asking about her welfare, Ms. [redacted] broke down crying and told them she was pulled over after leaving a gas station. The officer told her she had warrants, then took her to another location and raped her. Ms. [redacted] added during the rape the officer used a condom.

Mr. [redacted] said Ms. [redacted] had not reported the incident because she was afraid of her parent's reaction. Mr. [redacted] stated he and Mr. [redacted] encouraged her to report the incident.

Mr. [redacted] stated Ms. [redacted] really "unloaded" on them. She went on to tell them about her life and previous [redacted], and the trials and tribulations she had with her [redacted] Mr. [redacted] stated he was not sure if he believed what Ms. [redacted] told them. He thought she was trying to mitigate the discipline she had coming for being late.

[redacted]

On November 23, 2010, ICIB Sergeants Cassidy and Tombol met Ms. [redacted] at her home for an interview. The interview was digitally recorded and a copy of the transcribed interview is provided. For a CD copy of the audio file, refer to ***Exhibit C***

Ms. [redacted] stated she had contact with Deputy Sanchez on July 10, 2010, at approximately 0200 hours. Ms. [redacted] stated Deputy Sanchez stated he stopped her because she had swerved.

Upon contact, Deputy Sanchez was cordial and when he found out she was following her fiancé he became less cordial. Deputy Sanchez had her blow into a PAS device and conducted field sobriety tests and arrested her. Deputy Sanchez passed by Ms. [redacted] fiancé who was waiting down the street and told him he was taking her to jail because her blood alcohol level was a .135.

On the way to the station, Ms. [redacted] stated Deputy Sanchez told her he would never let his fiancé drive after she had been drinking. Ms. [redacted] said Deputy Sanchez tried to strike up a personal conversation about where she worked [redacted] and who she hung out with. Ms. [redacted] stated she did answer him because she felt the questions had nothing to do with the arrest.

As Deputy Sanchez and Ms. [redacted] were about to enter the jail, Deputy Sanchez brushed Ms. [redacted] hair out of her eyes. Ms. [redacted] thought Deputy Sanchez was trying to come on to her.

> **IAB Note:** Department Records confirmed Ms. [redacted] was arrested on September 10, 2010, for [redacted] and booked at Palmdale Sheriff Station at 0248 hours by Deputy Sanchez [redacted]

[redacted]

On December 13, 2010, at approximately 1509 hours, ICIB Sergeants Kniest and Jester met with Ms. [redacted] The interview was digitally recorded and a copy of the transcribed interview is provided. For a CD copy of the audio file, refer to ***Exhibit C***

Ms. [redacted] stated she was stopped by a law enforcement officer within the last year but could not remember the exact date. She stated she did not know what law enforcement agency the officer worked for but she remembered he drove a black and white police vehicle. Ms. [redacted] described the officer as a male Hispanic, 27 to 30 years old, 5'08" to 5'10" tall, approximately 180 pounds, with the possible last name of "Sanchez."

Ms. [redacted] stated she first came in contact with Deputy Sanchez was when she went to went to pick up her friend [redacted] at a Mexican night club called "Mazika's" located at Sierra Highway and Avenue M in Lancaster. Deputy Sanchez was ordering food from the "to go" window. Deputy Sanchez asked her what her name was and what car was she driving. Ms. [redacted] asked him why he wanted to know what car

she was driving. Deputy Sanchez told her he just wanted to know. She gave him the information and during their conversation Deputy Sanchez told her she was pretty.

Ms. [redacted] said she went into the club and located her friend and left the location. They then stopped at the gas station and purchased a cup of coffee. Ms. [redacted] left the gas station and drove a short distance and was pulled over by Deputy Sanchez. Deputy Sanchez asked her if she had been drinking. Ms. [redacted] told him she had not. Deputy Sanchez insisted that she had and made her blow into the PAS device. Ms. [redacted] stated Deputy Sanchez told her she was four to five times over the legal limit but never showed her the readings on the PAS device. Ms. [redacted] said after she blew into the PAS device, Deputy Sanchez told her she was going to jail and placed her in his back seat unhandcuffed.

Ms. [redacted] said she told Deputy Sanchez not to take her to jail because she was in the middle of her immigration proceedings. Deputy Sanchez asked her what she would do for him if he did not take her to jail. Ms. [redacted] asked him what he wanted. Deputy Sanchez told her "they can go into the dark." Ms. [redacted] said she began to cry and told Deputy Sanchez she did not want to go into the dark. Ms. [redacted] stated she felt the officer wanted to do sexual things in the dark even though he did not say those exact words.

Ms. [redacted] said Deputy Sanchez told her [redacted] was not drunk and was going to drive her car home. Ms. [redacted] told Deputy Sanchez she did not want to go into the dark, for him to do his job and take her to jail. Ms. [redacted] stated Deputy Sanchez got upset and opened the door to talk to her. Ms. [redacted] stated she slid across to the driver's side. Shortly after her friend Ms. [redacted] opened the rear driver's side door and let her out of the vehicle. Deputy Sanchez told Ms. [redacted] that Ms. [redacted] was drunk and she should not let her drive. Ms. [redacted] was not sure if Ms. [redacted] was given permission to open the door or if she did it because she saw Ms. [redacted] crying.

Ms. [redacted] said Ms. [redacted] drove to her apartment and Deputy Sanchez followed them. Ms. [redacted] daughter opened the security gate to the apartments and Ms. [redacted] drove in and did not look back. Both ladies entered the apartment and did not look outside for Deputy Sanchez.

Ms. [redacted] was shown a photo 'mug show up" that contained six photographs of males similar in appearance to Deputy Sanchez. Ms. [redacted] picked photo number one and stated he looked similar. Deputy Sanchez was in photo number six.

[redacted]

On December 16, 2010, ICIB Sergeants Cassidy and Hanson drove to the Shell gas station located 19415 Golden Valley Road in Santa Clarita, to meet with [redacted] *The interview was digitally recorded and a copy of the transcribed interview is provided. For a CD copy of the audio file, refer to* ***Exhibit C***

Ms. [redacted] said she and Ms. [redacted] were leaving the nightclub "Macecas" when she saw Deputy Sanchez sitting in the parking lot. Ms. [redacted] drove to the Shell gas station for a cup of coffee. Shortly after leaving the gas station, they were pulled over by Deputy Sanchez. Ms. [redacted] said Deputy Sanchez had Ms. [redacted] step out of the car and had her blow into the PAS device. Ms. [redacted] then heard Deputy Sanchez tell Ms. [redacted] that he could not believe she was drinking and driving. Ms. [redacted] saw Deputy Sanchez place Ms. [redacted] in the back seat of his vehicle.

Ms. [redacted] said Deputy Sanchez then contacted her and asked her if she was drinking and driving. Ms. [redacted] told him she was a passenger not the driver. Ms. [redacted] stated Deputy Sanchez had her blow into the PAS device and told her she blew a zero. Deputy Sanchez told Ms. [redacted] that he was going to tow Ms. [redacted] vehicle, and asked if she could call for a ride. Ms. [redacted] told Deputy Sanchez her [redacted] would pick her up. As Ms. [redacted] waited for her ride, she saw Deputy Sanchez talking to Ms. [redacted] who seated in the back seat. Ms. [redacted] stated Ms. [redacted] looked really scared and was crying. Ms. [redacted] told Ms. [redacted] not to worry and that she would follow her to the police station. Deputy Sanchez changed his mind and allowed Ms. [redacted] to drive Ms. [redacted] home. Ms. [redacted] stated if she had not intervened, she believed Deputy Sanchez would have taken her and raped her.

> **<u>IAB Note</u>**: According to Palmdale Sheriff Station [redacted] Sergeant Farkas, the PAS device checked out by Deputy Sanchez on a daily basis does not have a download memory function and all readings are not kept.

Ms. [redacted] was shown a photo 'mug show up" that contained six photographs of males similar in appearance to Deputy Sanchez. Ms. [redacted] stated photos number one and six look like the deputy. Deputy Sanchez was in photo number six (***for a copy of the "mug show up," refer to Exhibit A, page 220***).

[redacted]

On December 13, 2010, Sergeants Jester and Kniest spoke with [redacted] *at her home. The interview was digitally recorded and a copy of the transcribed interview is provided. For a CD copy of the audio file, refer to* ***Exhibit C***

Ms. [redacted] stated on September 21, 2010, she was stopped three times within a 15-20 minute span. Ms. [redacted] said the first contact was by two sheriffs, an Asian deputy and a stocky male Hispanic with black hair and brown eyes. The deputies informed her that her vehicle's license plate had a warrant return for a [redacted] Ms. [redacted] informed the deputies that [redacted] was her [redacted] Ms. [redacted] said she was no longer detained.

The second traffic stop was by a stocky White male deputy in his 40's. Ms. [redacted] stated the deputy told her she was swerving. He asked her if she had been drinking, he checked her eyes and was convinced she had not been drinking and told her to be careful and she was no longer detained.

Ms. [redacted] stated on the third traffic stop she realized it was the same male Hispanic deputy from the first stop. He did not pull her over; he just drove up alongside of her and asked her what she was doing way out there (Lancaster area). Ms. [redacted] told him she was going to visit a friend but the friend would not answer her phone and she was going back home to [redacted] Deputy Sanchez gave her directions on how to get back to the main street. Deputy Sanchez led her for about six miles and stopped to talk to her again. Ms. [redacted] said Deputy Sanchez told her he was getting off shift shortly and if there was any way to get a hold of her. Ms. [redacted] stated Deputy Sanchez asked her for her phone number but she did not give it to him and drove away.

Ms. [redacted] said she did not think the contact with Deputy Sanchez was professional because he asked questions about her [redacted] and wanted her phone number.

SUBJECT:

DEPUTY JOSE R. SANCHEZ

*On September 24, 2010, at 1605 hours ICIB Sergeants Cassidy and Moeller interviewed Deputy Jose Sanchez at Palmdale Station. The interviews were digitally recorded and copies of the transcribed interviews are provided. For a CD copy of the audio file, refer to **Exhibit C**.*

The interview took place in the conference room. Sergeant Cassidy advised Deputy Sanchez they were conducting a criminal investigation of rape allegation against him. Deputy Sanchez was explained his rights and agreed to speak to them about the incident.

Deputy Sanchez admitted to working on September 22, 2010, unit 262T1/E. Deputy Sanchez was asked about traffic stops he made that night. Deputy Sanchez said for her to allege rape it "clearly wasn't the case."

Deputy Sanchez stated he pulled over a female and they talked for a while. The female asked him to "hang out" so he stayed and talked about their personal lives. The female then told him she liked him, so they started "fooling around" and then they had intercourse. Deputy Sanchez said he knew it should not have happened during work hours, but it was not rape.

Deputy Sanchez was asked by ICIB investigators to explain in detail how the whole incident occurred. Deputy Sanchez stated he was parked in the Valero gas station writing a report. He saw Ms. [redacted] parked in the gas station cleaning her vehicle's windows. Deputy Sanchez stated he ran her license plate [redacted] and the return showed Ms. [redacted] had a $50,000 warrant for Driving Under the Influence.

Deputy Sanchez stated when Ms. [redacted] pulled out of the gas station, he pulled her over. He advised her she had a warrant for her arrest. He smelled alcohol on her breath and Ms. [redacted] admitted to drinking half a glass of wine earlier that night. Deputy Sanchez had Ms. [redacted] blow into his PAS device. Deputy Sanchez stated Ms. [redacted] blew a .04 or something similar. Deputy Sanchez stated he told Ms. [redacted] he was not going to take her to jail but she should take care of her warrant.

Deputy Sanchez stated they both began to talk about her personal life like her job and her parents. Deputy Sanchez stated Ms. [redacted] asked him if he could "hang out" for a while. Deputy Sanchez agreed to hang out but suggested they move off the main road. They both moved their vehicles a short distance off the main road. Deputy Sanchez stated they talked for while then Ms. [redacted] kissed him. She told him she liked him and he told her she was "really hot."

Deputy Sanchez then suggested they go to a darker location so they would not be seen "hanging out." Deputy Sanchez had Ms. [redacted] lock her vehicle and placed her in the back seat of his patrol vehicle. They drove approximately 300 yards down the dirt road into the dark. When they arrived at the location, Deputy Sanchez stated he had vaginal and anal intercourse with Ms. [redacted] on the front hood of the patrol vehicle. Deputy Sanchez stated Ms. [redacted] told him she could count the number of people she had sex with on one hand or two hands and she really liked him.

Deputy Sanchez admitted to touching Ms. [redacted] breasts and putting his fingers in her vagina during the time they were having intercourse. Deputy Sanchez stated at the conclusion of the intercourse, Ms. [redacted] took his penis and placed it in her mouth and orally copulated him until he ejaculated. Deputy Sanchez stated Ms. [redacted] told him that oral copulation was one of her specialties. Deputy Sanchez stated he did not wear a condom and the subject of wearing a condom never came up.

Shortly after, Deputy Sanchez took Ms. [redacted] back to her vehicle and offered to drive her home. Ms. [redacted] declined the offer but asked him to follow her home so he could see where she lived. Deputy Sanchez stated he followed her home and when

they arrived there, they talked for about 20 to 30 minutes about her [redacted] being upset with her because she [redacted] Deputy Sanchez stated Ms. [redacted] gave him her phone number but he did not give his to her because she did not ask for it.

Deputy Sanchez consented to a search of his locker and reiterated there was never an arrangement or a deal struck about not going to jail. Deputy Sanchez stated he was not concerned with Ms. [redacted] misdemeanor warrant because he wanted to try and find a felony arrest.



Leroy D. Baca, Sheriff

County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



July 30, 2013

Deputy Jose Sanchez, #[redacted]

Dear Deputy Sanchez:

Pursuant to Rule 18.01 of the Los Angeles County Civil Service Rules, you are hereby notified that it is the intention of the Sheriff's Department to suspend you without pay from your position of Deputy Sheriff, Item No. 2708A, with this Department, for up to thirty (30) days beyond judgment of a criminal charge pending against you.

The investigation being conducted under File Number IAB IV2275229 may result in further administrative proceedings.

An investigation was conducted by Internal Criminal Investigations Bureau. On July 29, 2013, as a result of this investigation, eleven (11) Felony counts were filed against you in Los Angeles County Superior Court, by the District Attorney's Office, Case # BA414107. The complaint states as follows:

****COUNT 1****

> On or about September 22, 2010, in the County of Los Angeles, the crime of SOLICITING A BRIBE, in violation of PENAL CODE SECTION 68, a Felony, was committed by JOSE RIGOBERTO SANCHEZ, who asked, received, and agreed to receive, a bribe, upon an agreement of understanding that the defendant's vote, opinion, or action upon a matter then pending, or which might have been brought before the defendant in his official capacity, shall have been influenced thereby.

A Tradition of Service Since 1850

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****COUNT 2****

On or about September 22, 2010, in the County of Los Angeles, the crime of KIDNAPPING TO COMMIT ANOTHER CRIME, in violation of PENAL CODE SECTION 209(b)(1), a Felony, was committed by JOSE RIGOBERTO SANCHEZ, who did unlawfully kidnap and carry away [redacted] to commit sexual penetration, rape, sodomy or oral copulation.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c)."

*****

****COUNT 3****

On or about September 22, 2010, in the County of Los Angeles, the crime of SEXUAL PENETRATION BY FOREIGN OBJECT, in violation of PENAL CODE SECTION 289(a)(1)(a), a Felony, was committed by JOSE RIGOBERTO SANCHEZ, who committed an act of sexual penetration against the will of [redacted] by means of force, violence, duress, menace and fear of immediate and unlawful bodily injury on [redacted] and another person.

"NOTICE: Conviction of this offense will require to register pursuant to Penal Code section 290 et seq. Willful failure to requester is a crime."

"NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1 and Health and Safety Code section 121055 following a probable cause hearing resulting in a court order."

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)."

*****

****COUNT 4****

On or about September 22, 2010, in the County of Los Angeles, the crime of SEXUAL PENETRATION UNDER COLOR OF AUTHORITY, in violation of PENAL CODE SECTION 289(g), a Felony, was committed by JOSE RIGOBERTO SANCHEZ, who did unlawfully have and accomplish an act of sexual penetration with a person, to wit, [redacted] not his/her spouse, said act being accomplished by the defendant threatening to use the authority of a public official to incarcerate, arrest, and deport the victim or another, and said victim reasonably believed that the perpetrator was a public official.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c)."

"NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code section 1202.1."

"NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1 and Health and Safety Code section 121055 following a probable cause hearing resulting in a court order."

*****

****COUNT 5****

On or about September 22, 2010, in the County of Los Angeles, the crime of RAPE BY FEAR OR DURESS, in violation of PENAL CODE SECTION 261(a)(2), a Felony, was committed by JOSE RIGOBERTO SANCHEZ, who did unlawfully have and accomplish an act of sexual intercourse with a person, to wit, [redacted] not his/her spouse, against said person's will, by means of force, violence, duress, menace and fear of immediate and unlawful bodily injury on said person and another.

"NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code section 1202.1."

"NOTICE: Conviction of this offense will require to register pursuant to Penal Code section 290 et seq. Willful failure to requester is a crime."

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)."

*****

COUNT 6

On or about September 22, 2010, in the County of Los Angeles, the crime of RAPE UNDER COLOR OF AUTHORITY, in violation of PENAL CODE SECTION 261(a)(7), a Felony, was committed by JOSE RIGOBERTO SANCHEZ, who did unlawfully have and accomplish an act of sexual intercourse with a person, to wit, [redacted] not his/her spouse, said act being accomplished by the defendant threatening to use the authority of a public official to incarcerate, arrest, and deport the victim or another, and said victim reasonably believed that the perpetrator was a public official.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c)."

"NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code section 1202.1."

"NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1 and Health and Safety Code section 121055 following a probable cause hearing resulting in a court order."

*****

****COUNT 7****

On or about September 22, 2010, in the County of Los Angeles, the crime of SODOMY BY FEAR OR DURESS, in violation of PENAL CODE SECTION 286(c)(2)(a), a Felony, was committed by JOSE RIGOBERTO SANCHEZ, who did unlawfully participate in an act of sodomy with [redacted] and did accomplish said act against said victim's will by force, violence, duress, menace and fear of immediate and unlawful bodily injury to said victim and to another.

"NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code section 1202.1."

"NOTICE: Conviction of this offense will require to register pursuant to Penal Code section 290 et seq. Willful failure to requester is a crime."

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)."

*****

****COUNT 8****

On or about September 22, 2010, in the County of Los Angeles, the crime of SODOMY UNDER COLOR OF AUTHORITY, in violation of PENAL CODE SECTION 286(k), a Felony, was committed by JOSE RIGOBERTO SANCHEZ, who did unlawfully commit an act of sodomy with [redacted] against his/her will by threatening to use the authority of a public official to incarcerate, arrest and deport someone and said [redacted] had a reasonable belief that the defendant was a public official.

"NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code section 1202.1."

"NOTICE: Conviction of this offense will require to register pursuant to Penal Code section 290 et seq. Willful failure

to requester is a crime."

"NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1 and Health and Safety Code section 121055 following a probable cause hearing resulting in a court order."

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COUNT 9

On or about September 22, 2010, in the County of Los Angeles, the crime of ORAL COPULATION BY FEAR OR DURESS, in violation of PENAL CODE SECTION 288a(c)(2)(a), a Felony, was committed by JOSE RIGOBERTO SANCHEZ, who did unlawfully participate in an act of oral copulation with [redacted] and did accomplish said act against said victim's will by force, violence, duress, menace and fear of immediate and unlawful bodily injury to said victim and to another.

"NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code section 1202.1."

"NOTICE: Conviction of this offense will require to register pursuant to Penal Code section 290 et seq. Willful failure to requester is a crime."

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)."

*****

COUNT 10

On or about September 22, 2010, in the County of Los Angeles, the crime of ORAL COPULATION UNDER COLOR OF AUTHORITY, in violation of PENAL CODE SECTION

288a(k), a Felony, was committed by JOSE RIGOBERTO SANCHEZ, who did unlawfully commit an act of oral copulation upon [redacted] against his/her will by threatening to use the authority of a public official to incarcerate, arrest and deport someone and said [redacted] had a reasonable belief that the defendant was a public official.

"NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code section 1202.1."

"NOTICE: Conviction of this offense will require to register pursuant to Penal Code section 290 et seq. Willful failure to requester is a crime."

"NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1 and Health and Safety Code section 121055 following a probable cause hearing resulting in a court order."

*****

COUNT 11

On or about September 24, 2010, in the County of Los Angeles, the crime of SOLICITING A BRIBE, in violation of PENAL CODE SECTION 68, a Felony, was committed by JOSE RIGOBERTO SANCHEZ, who asked, received, and agreed to receive, a bribe, upon an agreement of understanding that the defendant's vote, opinion, or action upon a matter then pending, or which might have been brought before the defendant in his official capacity, shall have been influenced thereby.

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It is further alleged, within the meaning of Penal Code sections 667.61(a) and (d), as to defendant, JOSE RIGOBERTO SANCHEZ, as to count(s) 3, 5, 7 and 9 that the following circumstances apply: the defendant kidnapped

the victim of the present offense and the movement of the victim substantially increased the risk of harm to the victim over and above that level of risk necessarily inherent in the underlying offense.

NOTICE: Conviction of this offense will require the defendant to provide DNA samples and print impressions pursuant to Penal Code sections 296 and 296.1. Willful refusal to provide the samples and impressions is a crime.

NOTICE: The People of the State of California intend to present evidence and seek jury findings regarding all applicable circumstances in aggravation, pursuant to Penal Code section 1170(b) and *Cunningham v. California* (2007) 549 U.S. 270.

NOTICE: A Suspected Child Abuse Report (SCAR) may have been generated within the meaning of Penal Code §§11166 and 11168 involving the charges alleged in this complaint. Dissemination of a SCAR is limited by Penal Code §§11167 and 11167.5 and a court order is required for full disclosure of the contents of a SCAR.

NOTICE: Any allegation making a defendant ineligible to serve a state prison sentence in the county jail shall not be subject to dismissal pursuant to penal Code § 1385.

You may respond to the intended action orally or in writing. In the event that you choose to respond orally to these charges, you have already been scheduled to meet with Chief Jacque La Berge on August 20, 2013 at 1000 hours, in his office, which is located at 4700 Ramona Boulevard, Monterey Park, California 91754. If you are unable to appear at the scheduled time and wish to schedule some other time *prior* to August 20, 2013, for your oral response, please call Chief La Berge's secretary at [redacted] for an appointment.

If you choose to respond in writing, please call Chief La Berge's secretary to cancel your scheduled appointment, and send your response to the facts contained in this letter to Chief La Berge's office *by no later than* August 20, 2013.

Pursuant to Rule 16.01 of the Los Angeles County Civil Service Rules, effective immediately, you are on paid administrative leave which will continue during the fifteen (15) business days you have to respond to the intended action or until the conclusion of your pre-suspension hearing.

Failure to respond to this Letter of Intent within fifteen (15) business days will be considered a waiver of your right to respond and will result in the imposition of the suspension indicated herein.

The decision to proceed with this action was based solely upon the criminal charges enumerated in this letter. There are no additional materials for review. Should you have any questions regarding this action, you may contact the Internal Affairs Bureau at (323) 890-5300.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Alicia E. Ault, Captain
Internal Affairs Bureau

AEA:CMJ:cj

c: Advocacy Unit
Employee Relations Unit
Chief Jacque La Berge, North Patrol Division
Internal Affairs Bureau
Office of Independent Review (OIR)
(IAB #IV2275229)



Leroy D. Baca, Sheriff

County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



August 28, 2013

Deputy Jose Sanchez, [redacted]

Dear Deputy Sanchez:

You are hereby notified that it is the intention of the Sheriff's Department to discharge you from your position of Deputy Sheriff, Item No. 2708A, with this Department, effective the close of business September 19, 2013.

An investigation under IAB File Number IV2275229, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Sections 3-01/030.05, General Behavior; and/or 3-01/000.10, Professional Conduct; and/or 3-01/030.07, Immoral Conduct; and/or 3-01/050.10, Performance to Standards; and/or 3-01/030.75, Bribes, Rewards, Loans, Gifts; and/or 3-01/030.15, Conduct Toward Others; and/or 3-01/040.97, Safeguarding Persons in Custody, on or about September 22, 2010, you failed to conform to the work standards established for your position as a deputy sheriff assigned to patrol at Palmdale Sheriff's Station, when you admittedly conducted a traffic stop of [redacted] after learning that the vehicle that she drove had outstanding warrants, which resulted in you placing her in your patrol vehicle and driving to a secluded area and engaging in acts, including, but not limited to:

   a. kissing [redacted] while detaining her during a traffic stop, and stating to her that she was hot stuff, and/or words to that effect, and/or;

b. admitting to placing your hands on [redacted] breasts and fondling her breasts while on duty as a law enforcement officer, and/or;

c. admitting to engaging [redacted] in a sexual act while on duty as a law enforcement officer which included inserting your finger into [redacted] vagina, and/or;

d. admitting to engaging [redacted] in a sexual act while on duty as an law enforcement officer which included inserting your penis into [redacted] vagina, and/or;

e. engaging [redacted] in a sexual act while on duty as a law enforcement officer which included inserting your penis into [redacted] anus, and/or doing so after she allegedly told you not to sodomize her, and/or words to that effect, and/or;

f. admitting to engaging [redacted] in a sexual act while on duty as a law enforcement officer which included having her perform oral sex upon you.

You further admitted that the sexual acts should not have occurred while you were on duty. You allowed [redacted] to drive her vehicle after determining that she had a warrant for her arrest related to driving under the influence, and that she had alcohol in her system. Your conduct further impaired your ability to perform your duty as a patrol officer, brought disrepute to the Department, failed to adhere to the Department's core values, and failed to perform your duties honorably and with integrity.

On July 29, 2013, after the District Attorney's Office reviewed the allegations supporting this investigation, you were arrested and charged with 68 P.C., Soliciting a Bribe, and/or 209 (b)(1) P.C., Kidnap to Commit another Crime, and/or 289 (a)(1)(a) P.C., Sexual Penetration by Foreign Object, and/or 289 (g), Sexual Penetration under Color of Authority, and/or 261 (a)(2) P.C., Rape by Fear or Duress, and/or 261 (a)(7), Rape under Color of Authority, and/or 286 (c)(2)(a) Sodomy by Fear or Duress, and/or 286 (k) Sodomy under Color of Authority, and/or 288 (a)(c)(2)(a), Oral Copulation by Fear or Duress, and/or 288(k), Oral Copulation under Color of Authority.

2. That in violation of Manual of Policy and Procedures Sections 3-01/030.05, General Behavior; and/or 3-01/000.10, Professional Conduct; and/or 3-01/030.15, Conduct Toward Others, on or about July 10, 2010, you failed to adhere to the Department's Core Values and perform your duties honorably, and with integrity, as you failed to treat [redacted] in a civil and respectful manner, bringing discredit to yourself, and/or the Department as evidenced by, but not limited to:

   a. stating to [redacted] that you would never allow your fianceé to drive a vehicle after she had been drinking, and she should reevaluate who she considered marrying, and/or words to that effect, and/or;

   b. asking [redacted] personal questions and sharing personal information with her unrelated to the charges of her arrest, including who she hung out with, where did she work, who did she work with, where your family originated from, who you knew, and/or words to that effect, and/or;

   c. touching [redacted] hair and face in an unprofessional or inappropriate manner.

3. That in violation of Manual of Policy and Procedures Sections 3-01/030.05, General Behavior; and/or 3-01/000.10, Professional Conduct; and/or 3-01/050.10, Performance to Standards; and/or 3-01/030.75, Bribes, Rewards, Loans, Gifts; and/or 3-01/030.15, Conduct Toward Others, on or about September 24, 2010, you failed to conform to the work standards established for your position as a deputy sheriff assigned to patrol at Palmdale Sheriff's Station, when you failed to adhere to the Department's Core Values and perform your duties honorably, and with integrity, as you failed to treat [redacted] in a civil and respectful manner, bringing discredit to yourself, and/or the Department as evidenced by, but not limited to:

   a. failing to take appropriate law enforcement action after contacting [redacted] who was allegedly driving while under the influence of alcohol, and/or;

   b. asking [redacted] while detaining her for a driving under the influence investigation, what would she do for

you if you did not take her to jail, and/or words to that effect, and/or;

c. stating to [redacted] "I won't take you to jail if you do this for me, a favor," and/or words to that effect, and/or;

d. stating to [redacted] "You're pretty. You look really fine. I will take you to the dark," and/or words to that effect, and/or;

e. stating to [redacted] "I can't do this for you, if you don't do this," as you suggested that she should go into the dark, and/or words to that effect, and/or;

f. stating to [redacted] "I'm going to take your friend," and/or words to that effect, and/or;

g. stating to [redacted] "You're more prettier than her," and/or words to that effect, and/or;

h. asking [redacted] for her telephone number because you thought [redacted] was "a very pretty person," and/or words to that effect.

4. That in violation of Manual of Policy and Procedures Sections 3-01/030.05, General Behavior; and/or 3-01/000.10, Professional Conduct; and/or 3-01/050.10, Performance to Standards; and/or 3-01/030.15, Conduct Toward Others, on or about September 21, 2010, you failed to conform to the work standards established for your position as a deputy sheriff assigned to patrol at Palmdale Sheriff's Station, when you failed to adhere to the Department's Core Values and perform your duties honorably, and with integrity, as you failed to treat [redacted] in a civil and respectful manner, bringing discredit to yourself, and/or the Department as evidenced by, but not limited to:

a. contacting [redacted] while on duty, for your personal benefit, and/or;

b. asking [redacted] personal questions unrelated to your duties as a law enforcement officer, including, "What are you doing way out here," "Did you call your friend," "Where is your boyfriend," "Why isn't he with you," "What

type of music are you listening to," and/or words to that effect, and/or;

c. asking [redacted] for her telephone number or a way to contact her when you were off duty, and/or words to that effect.

5. That in violation of Manual of Policy and Procedures Sections 3-01/050.10, Performance to Standards; and/or 3-01/040.35, Safeguarding Money, Property, Evidence, on or about September 24, 2010, you failed to conform to the work standards established for your position as a deputy sheriff assigned to patrol at Palmdale Sheriff's Station, when you retained the personal identification cards and/or driver licenses of [redacted] and [redacted] in your Sheriff's Department employee's locker, and/or failed to return them to the named holders, placed them into evidence, and/or submit the identification cards or driver licenses to the California Department of Motor Vehicles.

Additional facts for this decision are set forth in the Disposition Worksheet, Investigative Summary and Investigative Packet which are incorporated herein by reference.

You may respond to the intended action orally or in writing. In the event that you choose to respond orally to these charges, you have already been scheduled to meet with Chief Jacque La Berge, on September 19, 2013, at 1400 hours, in his office, which is located at 4700 Ramona Boulevard, Monterey Park, California 91754. If you are unable to appear at the scheduled time and wish to schedule some other time prior to September 19, 2013, for your oral response, please call Chief La Berge secretary at [redacted] for an appointment.

If you choose to respond in writing, please call Chief La Berge's secretary to cancel your scheduled appointment, and send your response to the facts contained in this letter to Chief La Berge's office by no later than September 19, 2013.

Failure to respond to this Letter of Intent within fifteen (15) business days will be considered a waiver of your right to respond and will result in the imposition of the discipline indicated herein.

If you did not receive the investigative material on which your discipline is based at the time you were served with this correspondence, you may contact the Internal Affairs Bureau at [redacted] to obtain a copy of the case file.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Alicia E. Ault, Captain
Internal Affairs Bureau

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures.

AEA:PMP:cj

c: Advocacy Unit
Employee Relations Unit
Chief Jacques La Berge, North Patrol Division
Internal Affairs Bureau
Office of Independent Review (OIR)
(File #2275229)



County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



LEROY D. BACA, SHERIFF

August 21, 2013

Deputy Jose Sanchez, #[redacted]

Deputy Sanchez:

On July 30, 2013, you were served with a Letter of Intention indicating your right to respond to the Sheriff's Department's intent to suspend you without pay, as reported under File Number IAB 2275229.

You did exercise your right to respond. However, after review and consideration of the response submitted to support your position, your Division Chief determined that the recommended action is appropriate.

Pursuant to Rule 18.01 of the Los Angeles County Civil Service Rules, you are hereby notified that effective August 20, 2013, you are suspended without pay from your position of Deputy Sheriff, Item No. 2708A, with this Department, for up to thirty (30) days beyond judgement of a criminal charge against you.

The administrative investigation being conducted under File Number 2275229 may result in further administrative proceedings.

An investigation was conducted by Internal Criminal Investigations Bureau. On July 29, 2013, as a result of this investigation, eleven (11) Felony counts were filed against you in Los Angeles County Superior Court, by the District Attorney's Office, Case #BA414107. The complaint states as follows:

****COUNT 1****

On or about September 22, 2010, in the County of Los Angeles, the crime of SOLICITING A BRIBE, in violation of PENAL CODE SECTION 68, a Felony, was committed by JOSE RIGOBERTO SANCHEZ, who asked, received, and agreed to receive, a bribe, upon an agreement of understanding that the defendant's vote, opinion, or action upon a matter then pending, or which might have been brought before the defendant in his official capacity, shall have been influenced thereby.

*****

****COUNT 2****

On or about September 22, 2010, in the County of Los Angeles, the crime of KIDNAPPING TO COMMIT ANOTHER CRIME, in violation of PENAL CODE SECTION 209(b)(1), a Felony, was committed by JOSE RIGOBERTO SANCHEZ, who did unlawfully kidnap and carry away [redacted] to commit sexual penetration, rape, sodomy or oral copulation.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c)."

*****

****COUNT 3****

On or about September 22, 2010, in the County of Los Angeles, the crime of SEXUAL PENETRATION BY FOREIGN OBJECT, in violation of PENAL CODE SECTION 289(a)(1)(a), a Felony, was committed by JOSE RIGOBERTO SANCHEZ, who committed an act of sexual penetration against the will of [redacted] by means of force, violence, duress, menace and fear of immediate and unlawful bodily injury on [redacted] and another person.

"NOTICE: Conviction of this offense will require to register pursuant to Penal Code section 290 et seq. Willful failure to register is a crime."

"NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1 and Health and Safety Code section 121055 following a probable cause hearing resulting in a court order."

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)."

*****

COUNT 4

On or about September 22, 2010, in the County of Los Angeles, the crime of SEXUAL PENETRATION UNDER COLOR OF AUTHORITY, in violation of PENAL CODE SECTION 289(g), a Felony, was committed by JOSE RIGOBERTO SANCHEZ, who did unlawfully have and accomplish an act of sexual penetration with a person, to wit, [redacted] not his/her spouse, said act being accomplished by the defendant threatening to use the authority of a public official to incarcerate, arrest, and deport the victim or another, and said victim reasonably believed that the perpetrator was a public official.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c)."

"NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code section 1202.1."

"NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1 and Health and Safety Code section 121055 following a probable cause hearing resulting in a court order."

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COUNT 5

On or about September 22, 2010, in the County of Los Angeles, the crime of RAPE BY FEAR OR DURESS, in violation of PENAL CODE SECTION 261(a)(2), a Felony, was committed by JOSE RIGOBERTO SANCHEZ, who did unlawfully have and accomplish an act of sexual intercourse with a person, to wit, [redacted] not his/her spouse, against said person's will, by means of force, violence, duress, menace and fear of immediate and unlawful bodily injury on said person and another.

"NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code section 1202.1."

"NOTICE: Conviction of this offense will require to register pursuant to Penal Code section 290 et seq. Willful failure to register is a crime."

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)."

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****COUNT 6****

On or about September 22, 2010, in the County of Los Angeles, the crime of RAPE UNDER COLOR OF AUTHORITY, in violation of PENAL CODE SECTION 261(a)(7), a Felony, was committed by JOSE RIGOBERTO SANCHEZ, who did unlawfully have and accomplish an act of sexual intercourse with a person, to wit, [redacted] not his/her spouse, said act being accomplished by the defendant threatening to use the authority of a public official to incarcerate, arrest, and deport the victim or another, and said victim reasonably believed that the perpetrator was a public official.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c)."

"NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code section 1202.1."

"NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1 and Health and Safety Code section 121055 following a probable cause hearing resulting in a court order."

*****

****COUNT 7****

On or about September 22, 2010, in the County of Los Angeles, the crime of SODOMY BY FEAR OR DURESS, in violation of PENAL CODE SECTION 286(c)(2)(a), a Felony, was committed by JOSE RIGOBERTO SANCHEZ, who did unlawfully participate in an act of sodomy with [redacted] and did accomplish said act against said victim's will by force, violence, duress, menace and fear of immediate and unlawful bodily injury to said victim and to another.

"NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code section 1202.1."

"NOTICE: Conviction of this offense will require to register pursuant to Penal Code section 290 et seq. Willful failure to register is a crime."

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)."

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COUNT 8

On or about September 22, 2010, in the County of Los Angeles, the crime of SODOMY UNDER COLOR OF AUTHORITY, in violation of PENAL CODE SECTION 286(k), a Felony, was committed by JOSE RIGOBERTO SANCHEZ, who did unlawfully commit an act of sodomy with [redacted] against his/her will by threatening to use the authority of a public official to incarcerate, arrest and deport someone and said [redacted] had a reasonable belief that the defendant was a public official.

"NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code section 1202.1."

"NOTICE: Conviction of this offense will require to register pursuant to Penal Code section 290 et seq. Willful failure to register is a crime."

"NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1 and Health and Safety Code section 121055 following a probable cause hearing resulting in a court order."

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****COUNT 9****

On or about September 22, 2010, in the County of Los Angeles, the crime of ORAL COPULATION BY FEAR OR DURESS, in violation of PENAL CODE SECTION 288a(c)(2)(a), a Felony, was committed by JOSE RIGOBERTO SANCHEZ, who did unlawfully participate in an act of oral copulation with [redacted] and did accomplish said act against said victim's will by force, violence, duress, menace and fear of immediate and unlawful bodily injury to said victim and to another.

"NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code section 1202.1."

"NOTICE: Conviction of this offense will require to register pursuant to Penal Code section 290 et seq. Willful failure to register is a crime."

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)."

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****COUNT 10****

On or about September 22, 2010, in the County of Los Angeles, the crime of ORAL COPULATION UNDER COLOR OF AUTHORITY, in violation of PENAL CODE SECTION 288a(k), a Felony, was committed by JOSE RIGOBERTO SANCHEZ, who did unlawfully commit an act of oral copulation upon [redacted] against his/her will by threatening to use the authority of a public official to incarcerate, arrest and deport someone and said [redacted] had a reasonable belief that the defendant was a public official.

"NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code section 1202.1."

"NOTICE: Conviction of this offense will require to register pursuant to Penal Code section 290 et seq. Willful failure to register is a crime."

"NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1 and Health and Safety Code section 121055 following a probable cause hearing resulting in a court order."

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****COUNT 11****

On or about September 24, 2010, in the County of Los Angeles, the crime of SOLICITING A BRIBE, in violation of PENAL CODE SECTION 68, a Felony, was committed by JOSE RIGOBERTO SANCHEZ, who asked, received, and agreed to receive, a bribe, upon an agreement of understanding that the defendant's vote, opinion, or action upon a matter then pending, or which might have been brought before the defendant in his official capacity, shall have been influenced thereby.

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It is further alleged, within the meaning of Penal Code sections 667.61(a) and (d), as to defendant, JOSE RIGOBERTO SANCHEZ, as to count(s) 3, 5, 7 and 9 that the following circumstances apply: the defendant kidnapped the victim of the present offense and the movement of the victim substantially increased the risk of harm to the victim over and above that level of risk necessarily inherent in the underlying offense.

NOTICE: Conviction of this offense will require the defendant to provide DNA samples and print impressions pursuant to Penal Code sections 296 and 296.1. Willful refusal to provide the samples and impressions is a crime.

NOTICE: The People of the State of California intend to present evidence and seek jury findings regarding all applicable circumstances in aggravation, pursuant to Penal Code section 1170(b) and *Cunningham v. California* (2007) 549 U.S. 270.

NOTICE: A Suspected Child Abuse Report (SCAR) may have been generated within the meaning of Penal Code §§11166 and 11168 involving the charges alleged in this complaint. Dissemination of a SCAR is limited by Penal Code §§11167 and 11167.5 and a court order is required for full disclosure of the contents of a SCAR.

NOTICE: Any allegation making a defendant ineligible to serve a state prison sentence in the county jail shall not be subject to dismissal pursuant to penal Code § 1385.

* * * * *

If you desire within fifteen (15) business days from the date of service of this notice of suspension, you may request a hearing on these charges before the Los Angeles County Civil Service Commission, 222 North Grand Avenue, Los Angeles, California 90012.

Copies of Rules 4.02, 4.05 and 18.01 of the Los Angeles County Civil Service Rules, which explain the suspension process and your appeal rights directly to the Civil Service Commission are attached for your convenience.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

JACQUES A. LA BERGE, CHIEF
NORTH PATROL DIVISION

Note: Attached for your convenience are excerpts of the applicable area of the Civil Service Rules.

JAL:RAA:AEA:bs

c: Advocacy Unit
Chief Jacques A. La Berge, North Patrol Division
Internal Affairs Bureau
Personnel Administration
Office of Independent Review (OIR)
Palmdale Station/Personnel File
File Number (2275229)